

1 DRAFT PREPARED BY LEGISLATIVE COUNCIL
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A BILL

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11 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,
12 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO
13 AS TO ENACT THE "TEACHER BILL OF RIGHTS" AND TO
14 ENUMERATE THE BASIC RIGHTS TO WHICH ALL
15 CERTIFIED PUBLIC SCHOOL TEACHERS IN THIS STATE
16 ARE ENTITLED.

17
18 Whereas, respecting the professional judgment and authority of all
19 public school teachers is essential to creating an environment
20 conducive to learning, the implementation of effective instruction in
21 the classroom, and the development of a culture of achievement in
22 all of South Carolina's public schools; and

23
24 Whereas, to maintain and protect the professionalism of South
25 Carolina's teachers, it is incumbent that all stakeholders in the
26 public education system are fully informed and aware of the
27 inalienable rights conferred upon all public school teachers in South
28 Carolina. Now, therefore,

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31 Be it enacted by the General Assembly of the State of South
32 Carolina:

32 California.
33
34 SECTION 1. Chapter 25, Title 59 of the 1976 Code is amended by
35 adding:

36
37 “Article 9

38 39 Teacher Bill of Rights

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41 Section 59-25-910. This act must be known and may be cited as
42 the ‘Teacher Bill of Rights’.

1 Section 59-25-920. All certified public school teachers in South
2 Carolina have a right to:
3 (1) have their professional judgment and discretion concerning
4 disciplinary action or instructional decisions in the classroom made
5 in accordance with school and district policy be fully respected by
6 school and district officials;
7 (2) teach free from fear of frivolous lawsuits, including the right
8 to qualified immunity and to a legal defense, and to indemnification
9 by the employing school board for actions taken in the performance
10 of duties of the teacher's employment;
11 (3) take appropriate disciplinary measures, including the
12 removal of persistently disruptive students, pursuant to school
13 policy and district policy, to facilitate a learning environment built
14 upon a mutual culture of respect between teacher and assigned
15 students;
16 (4) work in a safe, secure, and orderly environment that is
17 conducive to learning and free from recognized dangers, hazards, or
18 threats that are causing or likely to cause serious disability;
19 (5) an unencumbered daily planning time, equal to no less of one
20 quarter of their assigned instructional time, free from meetings,
21 duties, or requirements incompatible with the effective planning of
22 instruction;
23 (6) a salary commensurate with that of the recognized
24 southeastern average salary of public school teachers with similar
25 years of experience, educational degrees, and certification;
26 (7) be free of excessive and burdensome paperwork related to
27 disciplinary actions, state or district evaluation procedures, and
28 other administrative inquiries that prevent fulfillment of the
29 teacher's primary directive to implement effective instruction for
30 their students;
31 (8) additional compensation for work time required above and
32 beyond stated contracted days and established work day parameters
33 for duties associated with their responsibilities as teachers;
34 (9) receive, as teachers under induction contracts, leadership
35 and support from school and district personnel, including the
36 assignment of qualified mentors who:
37 (a) commit to helping them become competent and confident
38 professionals in the classroom; and
39 (b) offer support and assistance as needed to meet
40 performance standards and professional expectations; and
41 (10) to legal recourse should schools or school districts establish
42 policies or implement standard expectations of behavior that prevent
43 teachers from exercising the rights stated herein.”

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2 SECTION 2. This act takes effect upon approval by the Governor.
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